

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

WALTER BRADLEY, on behalf of himself
and all other similarly situated,

Plaintiffs,

vs.

DISCOVER FINANCIAL SERVICES,

Defendant.

Case No.: C-11-05746-YGR

**ORDER DENYING REQUEST TO POSTPONE
RULING ON PENDING MOTION TO COMPEL
ARBITRATION AND STAY ACTION**

On April 20, 2012, the parties filed a joint letter regarding a discovery dispute. (Dkt. No. 32 (“Letter”).) Initially, the Court notes that the parties have failed to comply with the Court’s Standing Order regarding an in-person meeting *before* submitting requests for review of letter briefs.

Plaintiff requests that the Court postpone ruling on the pending Motion to Compel Arbitration and Stay Action (Dkt. Nos. 13 & 20 (“Motion to Compel”)) “for at least 60 days to permit Mr. Bradley to serve [proposed] Discovery Requests [at Exhibits A & B to Letter], review DFS’s answers and responsive documents, and, if necessary, submit a supplemental brief based on those answers and documents.” Letter at 1. Plaintiff also requests that he be permitted to reserve the right to move to postpone the Court’s ruling longer than 60 days for follow-up discovery issues. *Id.* Defendant believes Plaintiff is not entitled to any of the proposed discovery, and that his request is untimely given that the Motion to Compel was filed more than one month ago. *Id.* at 1–2. Defendant further notes that Plaintiff has already submitted a full opposition to the Motion to Compel. *Id.* at 2.


Plaintiff’s request to postpone the ruling on the Motion to Compel is **DENIED**. To the extent that Plaintiff contends that the Motion to Compel is premature or that he is entitled to discovery, the

1 Court will consider the issues raised in the Letter in evaluating Defendant's Motion. If the Court
2 deems it appropriate, it will request supplemental briefing from the parties.

3 This Order terminates Dkt. No. 32.

4 **IT IS SO ORDERED.**

5 Dated: April 24, 2012

6 
YVONNE GONZALEZ ROGERS
7 UNITED STATES DISTRICT COURT JUDGE